

HOUSE BILL NO. 2

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-SECOND LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE RAUSCHER

Introduced: 2/18/21

Referred: Community and Regional Affairs, Judiciary

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the minimum age of persons allowed to sell cigarettes, cigars,**
2 **tobacco, electronic smoking products, products containing nicotine, or products**
3 **containing tobacco."**

4 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

5 * **Section 1.** AS 11.76.100(a) is amended to read:

6 (a) A person commits the offense of selling or giving tobacco to a minor if the
7 person

8 (1) negligently sells a cigarette, a cigar, tobacco, or a product
9 containing tobacco to a person under 19 years of age;

10 (2) is 18 [19] years of age or older and negligently exchanges or gives
11 a cigarette, a cigar, tobacco, or a product containing tobacco to a person under 19
12 years of age;

13 (3) maintains a vending machine that dispenses cigarettes, cigars,
14 tobacco, or products containing tobacco; or

1 (4) holds a business license endorsement under AS 43.70.075 and
2 allows a person under 18 [19] years of age to sell a cigarette, a cigar, tobacco, or a
3 product containing tobacco.

4 * **Sec. 2.** AS 11.76.105 is amended by adding a new subsection to read:

5 (d) Nothing in this section prohibits a person 18 years of age or older from
6 making a lawful sale of a cigarette, a cigar, tobacco, a product containing tobacco, an
7 electronic smoking product, or a product containing nicotine on behalf of the person's
8 employer if the employer has a business license endorsement issued under
9 AS 43.70.075.

10 * **Sec. 3.** AS 11.76.109(a) is amended to read:

11 (a) A person commits the offense of selling or giving an electronic smoking
12 product or a product containing nicotine to a minor if the person

13 (1) negligently sells an electronic smoking product or a product
14 containing nicotine to a person under 19 years of age;

15 (2) is 18 [19] years of age or older and negligently exchanges or gives
16 an electronic smoking product or a product containing nicotine to a person under 19
17 years of age;

18 (3) maintains a vending machine that dispenses electronic smoking
19 products or products containing nicotine; or

20 (4) holds a business license endorsement under AS 43.70.075 and
21 allows a person under 18 [19] years of age to sell an electronic smoking product or a
22 product containing nicotine.